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REMARKS/ARGUMENTS



PATENT
450100-02731

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3, 5-8, 10, 11 and 13 are currently pending. Claims 4, 9, 12 and 14-21 have been canceled, without prejudice or disclaimer of subject matter.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3 and 6-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,323,909 to Michener et al. in view of U.S. Patent No. 5,991,500 to Kanota et al. and U.S. Patent No. 5,844,623 to Iwamura and U.S. Patent No. 6,259,694 to Sato et al.

Claims 5, 10, 11 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Michener et al. and Kanota et al. and Iwamura and Sato et al., and further in view of U.S. Patent No. 5,987,126 to Okuyama et al.

Applicant respectfully submits that these rejections are improper because Kanota, Iwamura and Sato, none of which qualify as prior art under 35 U.S.C. §102(b), were at the time of the present invention subject to an assignment and/or owned by SONY CORPORATION. Therefore, Kanota, Iwamura and Sato cannot be used to preclude patentability of the present invention (35 U.S.C. §103(c)).